

COURTHOUSE PUBLIC SAFETY STANDARDS

**Guidelines to ensure the safety of all people
in the courthouses of Washington State**

**Presented by the Courthouse Security Task Force
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The Task Force thanks the many judges, attorneys, law enforcement, court employees, public officials and interested citizens who gave testimony and wrote letters. Their insight and ideas were invaluable in developing these standards.

SUMMARY OF STANDARDS

"The ultimate goal of courthouse security is to provide to all citizens a safe place to seek justice." - Public Meeting, Yakima

"Safety for all citizens who come to the courthouse is a keystone to free and equal access of all citizens to our justice system." - Letter to Task Force, Thurston County

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 - A. No weapon should be permitted in the courthouse facility except those carried by courthouse security officers or as authorized by section B.
 - B. Rules governing the carrying of weapons into the courthouse facility by law enforcement officers should be established pursuant to *RCW Chapter 9.41*. Law enforcement officers outside the scope of their employment should not be permitted to bring weapons into the court facility.
 - C. Minimum standards of security should include magnetometers, X-ray machines and secure storage lockers for weapons.
- 13 6. MOVEMENT OF PRISONERS**
 - A. Prisoners should be transported into and within the courthouse facility through areas which are not accessible to the public. When a separate entrance is not available and public hallways must be utilized, appropriate physical restraints should be employed and public movement in the area should be restricted during the time of prisoner transport.

- B. Prisoners should be held in a secure holding area while awaiting court hearings and during any recess.**
- C. Law enforcement or corrections officers should accompany prisoners to the courtroom, remain during the hearing and return prisoners to the secure holding area.**

7. DURESS ALARMS FOR JUDGES AND COURT PERSONNEL

- 14 All courtrooms and hearing rooms should be equipped with duress alarms connected to a central security station. Duress alarms should also be located on the bench and chambers of the judicial officer, and at the work station of bailiff, receptionist, secretary, court clerks and all cash handling counters within the courthouse. The duress alarm system should be a system with enunciation capability, i.e., identifying the specific source of the alarm.**

8. CLOSED-CIRCUIT VIDEO SURVEILLANCE

- 15 The use of closed-circuit video surveillance is recommended. Closed-circuit video surveillance should include the court facility parking area, entrances, lobby, courtrooms and all related public areas.**

9. RESTRICTED ACCESS TO COURT OFFICES

- 16 There should be controlled access to the offices of judges and court personnel.**

10. AFTER HOURS SECURITY

- 17 A comprehensive security plan should include procedures for security in the courthouse and related areas for periods of time other than normal working hours.**

11. STRUCTURAL DESIGN OF COURTHOUSE

- 18 The local courthouse security committee should participate in the planning process of the design, construction or remodeling of courthouse facilities.**

12. INCIDENT REPORTING

- 19 A. Every violation of the law that occurs within a courthouse facility should be reported to the law enforcement agency having jurisdiction.**
 - B. The Security Policy and Procedures Manual for each courthouse should include a policy for reporting security incidents.**
- Procedures for the tabulation of such incidents should be developed by the Office of the Administrator for the Courts of Washington State.**

INTRODUCTION

"People who are sued, or are divorcing or want a name change, or are subpoenaed to testify have no choice. The only place they can do that business is the courthouse. The system owes it to these people--whose attendance is compelled--to provide them a safe place to seek justice." - Letter to Task Force, Grant County

Tragedies occurring in 1995 riveted attention on the safety of citizens in their community courthouses. On March 2, the brutal shooting deaths of three women, one eight months pregnant, sitting outside King County's Family Court shocked and sorrowed the people of Washington State. From the Tri-Cities to Bellingham, citizens and public officials were saying, "It could happen here."

"One of the victims was a neighbor volunteer who had come forward with information that would have been helpful to a judge had she not been murdered in the process. If people such as this person are not willing to come forward because of concerns for personal security, our system has suffered a huge loss." - Letter to Task Force, Thurston County

"Domestic violence victims are afraid to go to hearings and won't file a protection order because they are afraid to be in the presence of their abuser, even though it's in a courthouse." - Public Meeting, Bellingham

Later in March, a man leaving a Pierce County Small Claims Courtroom indicated he had a gun and threatened to kill the man he had sued unsuccessfully. The panic button triggered by court personnel malfunctioned, failing to alert security officers. The plaintiff escaped. Fortunately, no injury occurred.

A man was charged in October with threatening to kill the man he was suing, the Clark County Superior Court Judge assigned to the lawsuit, and the federal bankruptcy judge who had heard the defendant's bankruptcy.

"Smaller communities have as many worries with property issue cases as with domestic cases."

"What we're trying to do is establish a safe place where people can carry on their business with the county without fear of being murdered as a bystander in some shooting incident." - Public Meeting, Spokane

Violence had already shrouded the Benton/Franklin Counties Courthouse . In 1974 a Superior Court Judge was killed by a letter bomb that was delivered to his chambers.

"We need training for all personnel in the recognition of potentially dangerous mail." - Letter to Task Force, Cowlitz County

The epitome of courthouse violence occurred in April 1995 when 169 innocent men, women and children were murdered in the bombing of the federal building in Oklahoma City. On the recent anniversary, a horrified nation still found the scope of this tragedy beyond comprehension.

One year later, in the early morning hours of April 30, 1996, a bomb exploded at the Spokane City Hall. Fortunately, no one was injured.

"If the trend concerning government facility violence continues, all elements within a Hall of Justice become viable targets as well, not just the courts." - Letter to Task Force, Cowlitz County

"Comments have been received from jurors who are citing security concerns as another reason they don't feel they would like to serve on a jury." - Public Meeting, Olympia

In response to the violence and threats of violence in courthouses, Chief Justice Barbara Durham convened a Security Summit of all presiding judicial officers in Washington State. They unanimously requested that the Chief Justice appoint a task force to establish uniform security standards throughout the courts in Washington. Having presented the *Courthouse Public Safety Standards* to the Chief Justice and the Board for Judicial Administration, the task force has completed its charge.

Task force members hail from around the state and represent all the various groups who use our courthouses, including law enforcement, court employees, attorneys and judges. The thousands of citizens who do business in our courthouses, serve on juries or testify as witnesses were represented by their local elected officials. Supporting the activities of the task force were staff from the Office of the Administrator for the Courts.

In August and September 1995 the task force met to consider draft standards. By November, the proposed standards were ready for public comment and were mailed to interested persons throughout the state.

Task force members heard comments in person at regional public meetings: Spokane, Nov. 20, 1995; Yakima, Nov. 30, 1995; Bellingham, Dec. 14, 1995; Vancouver, Dec. 28, 1995; SeaTac, Jan. 11, 1996; Dayton, Jan. 19, 1996; and Olympia, Jan. 25, 1996. The task force also received written comments.

The task force found that the concerns of citizens about the standards were primarily in the areas of funding and flexibility. Many people believed their jurisdictions could have difficulty implementing new standards within their already tight budgets. And many stressed that the local committee should have the authority to adapt standards to meet their community's specific needs. The task force took these concerns into account when it developed this final draft.

"Obviously, there needs to be a significant amount of flexibility and discretion. . . given the vast differences in size, sophistication of equipment, staffing levels, and threat level assessments at the various court facilities throughout the state." - Letter to Task Force, Spokane

"The standards should allow for flexibility for local jurisdictions and how they deal with the related issues." - Public Meeting, Vancouver

"The issue of funding the security standards needs to be addressed. Unless funding is provided in one form or another there will be no product." - Letter to Task Force, Okanogan County

"My only concern is the financial impact of implementation of these recommendations, especially on small jurisdictions. . ." - Letter to Task Force, Pacific County

"The only caution I would suggest is that these recommendations for security not be mandates but rather suggestions to be considered. . . It is important to allow jurisdictions to decide for themselves rather than being mandated to institute measures we cannot afford or that take valuable resources away from other necessary programs." - Letter to Task Force, Cheney

This final draft of the standards reflects not only the beliefs of the task force, but the insights, concerns and ideas expressed by the many citizens who participated in the process. The task force could not have fulfilled its mission without them.

Legislation or funding related to the standards are not within the scope or power of the task force. The Chief Justice and the Board for Judicial Administration will decide whether implementation of the standards requires any further action.

The complete text of citizen comments is available upon request from the Office of the Administrator for the Courts.

“These standards are guidelines for courts in Washington, and are not mandatory. As guidelines, they are objectives for the various courts to reach, but local circumstances may dictate differing approaches to ensure courthouse security.” - Letter to Task Force, Olympia

COURTHOUSE SECURITY - A DEFINITION

"The ultimate goal of courthouse security is to provide to all citizens a safe place to seek justice." - Public Meeting, Yakima

Courthouse security encompasses deterrence, detection and limitation of damage. Security must serve the objectives of the judicial process, not dominate them. Proper and effective security design of courthouse facilities can contribute substantially to the safety of persons within the courthouse. The more effective the deterrent, the lower the incidence of security problems. Finally, security seeks to limit damage that may be caused by an action or a threat.

"It's once again important to maintain the Fourth Amendment sense of balancing between the intrusion on private affairs and the legitimate interests in courthouse security." - Public Meeting, Spokane

"One of the things that needs to be accomplished with courthouse security is to make sure that those who make decisions to come forward, to volunteer, to be part of this system of justice, can make those decisions without concern for personal safety." - Public Meeting, Olympia

1. LOCAL COURTHOUSE SECURITY COMMITTEE

A Local Courthouse Security Committee should be established for the implementation of these standards.

Commentary

Specific security needs vary from location to location due to local conditions and changing circumstances. Thus security should be addressed within each jurisdiction and there must be a formal mechanism for doing so.

Court security issues affect many sectors of the community and include differing local needs and serious funding concerns. A Local Courthouse Security Committee should include representatives of the judges, law enforcement agencies, funding authorities, clerks, employees and other appropriate bar and community groups, i.e., victim advocacy groups. The issues should be reviewed in a cooperative and constructive matter.

A Local Courthouse Security Committee may be initiated by the presiding judge or a local legislative authority. An existing local Law and Justice Council may serve as the Local Courthouse Security Committee.

See *Appendix A: Pierce County Resolution establishing local courthouse security committee.*

““Staff and people we are trying to assist probably fear for their safety, and we fear for our safety probably 70 to 80 percent of the work week.”

“Include various victim advocacy groups in the composition of the security committee.”

- Public Meeting, Bellingham

“The local jurisdictions need to address and adopt a security plan and procedures appropriate to the jurisdiction.” - Public Meeting, SeaTac

“Allow autonomy for each county in the development of their standards.” - Public Meeting, Dayton

2. SECURITY POLICY AND PROCEDURES MANUAL

A *Security Policy and Procedures Manual* should be developed and maintained for each courthouse.

Commentary

Every anticipated security incident should have a policy statement and procedure to prevent such incidents and to react to such incidents. All employees should have a personal copy of the manual, receive training pursuant to the manual, and know what is expected of them during a security incident.

Special consideration should be given to the security issues of victims, witnesses and jurors.

A model *Security Policy and Procedures Manual* is available through the Office of the Administrator for the Courts, Temple of Justice, PO Box 41174, Olympia, WA 98504-1174 or 360 357-2131.

"Adopt a generic basic manual for statewide use that the state develops. . . The local security teams could then expand the basic text. It would be a waste of resources having 39 counties duplicate the efforts. Manuals have been developed by other states. Let's not reinvent the wheel." - Public Meeting, Yakima

". . . About the training of staff. . . Experts say bells and whistles aren't the end all of security issues. . . having an effective set of procedures that [people] are familiar with would go a long way in reducing the likelihood of any kind of injury to people." - Public Meeting, SeaTac

"The San Juan County Courthouse is. . . in many respects a community center. Courthouse security plans and procedures must be kept in perspective. . . to allow an effective local response without unnecessarily compromising local financial resources and citizen access." - Letter to Task Force, San Juan County

"Washington courthouses come in all shapes and sizes. Communities are very different. When making rules, one size is not going to fit all. Guidelines should have latitude for these local committees to make rules that are appropriate for their community." - Public Meeting, Olympia

3. PERSONS SUBJECT TO SECURITY SCREENING

All persons should be subject to security screening. Mail and other deliveries to courthouses should be received in a central location. All items should be subject to screening.

Commentary

One of the best security measures is the interdiction of weapons. The only certain method for interdiction is to screen all people without exception when they enter the facility.

Mail is a common method of delivering bombs. Without adequate screening, mail and other items delivered to a courthouse cannot be considered safe. Technology is readily available to complete a non-intrusive examination.

While the task force recognizes that employee groups and others may object to screening, the task force continues to believe that all persons should be subject to screening.

"One of the most often voiced concern is that 'you don't trust us.' It's not a matter of trust. It's a matter of how secure you want the courthouse to be." - Public Meeting, Spokane

"Regardless of the number of people in a county, a security risk exists wherever there are people. In smaller counties the risk is just as high. . .may be higher here because we have a tendency to have people who are probably more likely to feel strongly about not being regulated and not being controlled in any way." - Public Meeting, Bellingham

"Kitsap County requires that everyone, including employees, pass through the X-ray machine and metal detectors." - Public Meeting, Olympia

"All people should go through the screening all the time--judges, police officers, everyone."

"I have no objection to having to go through a metal detector in order to obtain access to a courthouse."
- Public Meeting, Yakima

"It's about providing the public a safe place to do business." - Letter to Task Force, Grant County

"Educate and inform the public." - Public Meeting, Dayton

4. COURTHOUSE SECURITY OFFICERS

Uniformed officers should be assigned specifically to courthouse security. The officers should receive specific training on courthouse security and the use of weapons in a courthouse environment.

Commentary

Courthouse security should be a law enforcement function. For this purpose, it is recommended that the management of court security should be under the direction of or through close coordination of commissioned officers. It is recommended that officers assigned to court security have authority to enforce statutes and orders pertaining to the performance of their duties.

Ideally, law enforcement officers should fulfill the function of court security. Nothing in this standard should preclude the use of non-law enforcement officers. Officers performing court security should have at least limited law enforcement commissions by the sheriff, law enforcement agency head, or other commissioning authority. Contract court security officers should be state certified as outlined in RCW Chapter 18.170, *Private Security Guards*.

Law enforcement officers in the court for other reasons should not be considered a component of the court security system.

"Many security instances would not occur if they knew that there was a uniform presence in the immediate vicinity."

"Victims would feel more secure if they were accompanied by an officer or if there were some line of regular officer present at hearings where victims and perpetrators are present. . . ."

- Public Meeting, Bellingham

"Security officers' training should be updated on a regular basis. . . to keep abreast of. . . current security risk issues as well as current ways to solve or emerging ways to solve problems." - Public Meeting, Yakima

"When aggression strikes the Courthouse it does so with the same violence that occurs out in the streets. Only Police Officers have the training and more importantly the experience to meet such crises." - Letter to Task Force, Seattle

"If we put a deputy in the courthouse, that's one we take off of the road." - Public Meeting, Olympia

"Attending the law enforcement academy currently costs approximately \$10,000 per officer." - Public Meeting, Dayton

"When we did our analysis of this we determined that the cost of a uniformed commissioned sheriff's deputy would be over three times the cost of a contract security guard." - Letter to Task Force, Snohomish County

"I could write a manuscript on why the cost of security would be prohibitive if uniformed commission sheriff deputies were used for courthouse security." - Letter to Task Force, Spokane County

"Each jurisdiction should determine the level and type of training, level of commission and personal background required." - Letter to Task Force, Cowlitz County

5. WEAPONS IN COURTHOUSE FACILITIES

- A. No weapon should be permitted in the courthouse facility except those carried by courthouse security officers or as authorized by section B.**
- B. Rules governing the carrying of weapons into the courthouse facility by law enforcement officers should be established pursuant to *RCW Chapter 9.41*. Law enforcement officers outside the scope of their employment should not be permitted to bring weapons into the court facility.**
- C. Minimum standards of security should include magnetometers, X-ray machines and secure storage lockers for weapons.**

Commentary

Competing views require individual courts to review their needs and formulate policy based upon defined security needs and the political realities which exist in a given community.

"Everyone carries a gun or weapons and we have no security and no possibility of being able to afford security." - Public Meeting, Spokane

"The greatest security need in terms of preventing violence and preventing intimidation of those who use our courtroom, remains being on site in the courthouse, in the courtrooms, preventing physical assault rather than weapon assaults." - Public Meeting, Olympia

"One can never predict when an armed criminal or an irrational/distraught person may act in a way that threatens the well-being of the public. . . If the law enforcement officer is without their weapon, they are hampered in their ability to respond." - Letter to Task Force, Island County

"Officers must be available, particularly in small counties, to serve the community on a minute's notice." - Public Meeting, Dayton

"Position is that officer should retain sidearm when officer enters court. . .if an officer is in court for any reason other than an official capacity, then weapon is not carried." - Public Meeting, Vancouver

"If an officer is not on duty, not in the courthouse in an official capacity, we ask them not to bring guns in and we would secure them like we would anybody else's" - Public Meeting, SeaTac

"My strong suggestion on this is that we follow the same practices as are followed in federal courthouses: federal, state, county and city law enforcement personnel with proper credentials are allowed to carry weapons in court facilities" - Letter to Task Force, Spokane

6. MOVEMENT OF PRISONERS

- A. Prisoners should be transported into and within the courthouse facility through areas which are not accessible to the public. When a separate entrance is not available and public hallways must be utilized, appropriate physical restraints should be employed and public movement in the area should be restricted during the time of prisoner transport.**
- B. Prisoners should be held in a secure holding area while awaiting court hearings and during any recess.**
- C. Law enforcement or corrections officers should accompany prisoners to the courtroom, remain during the hearing and return prisoners to the secure holding area.**

Commentary

If transport is made through a public area, it exposes the public to danger, enhances the possibility of prisoner escape and increases the ability to transfer weapons to prisoners.

Transportation of prisoners and courthouse security are distinct and separate functions.

"General facility design and size will dictate these issues. Recommend each local jurisdiction be given the latitude to deal with the issue based on their unique situation. Needless to say, proper prisoner management must be emphasized at all times. Yet, the greater hazard is not prisoners, but the public at large. Separation from the public at large appears to be the key issue." - *Letter to Task Force, Cowlitz County*

"Prisoners are brought through the back staircase as often as possible, out of sight of the general public." - Public Meeting, SeaTac

7. DURESS ALARMS FOR JUDGES AND COURT PERSONNEL

All courtrooms and hearing rooms should be equipped with duress alarms connected to a central security station. Duress alarms should also be located on the bench and chambers of the judicial officer, and at the work station of bailiff, receptionist, secretary, court clerks and all cash handling counters within the courthouse. The duress alarm system should be a system with enunciation capability, i.e., identifying the specific source of the alarm.

Commentary

It is important that the duress alarm system be a type which includes an audible alarm at the central security station; however, the system should not include an audible alarm at the activation site. Response protocol should be established with local law enforcement.

Testing of duress alarms should be done on a specified schedule established by the Local Courthouse Security Committee.

"Our experience in King County is that [duress alarms] are rarely tested after installation and when they are, we are shocked to find that they have been inoperable for some considerable period of time." - Letter to Task Force, King County

"Courts in Sunnyside and Toppenish pay \$50 every time their duress alarms are tested. The alarm has not been tested since installation."

"The standard for testing of duress alarms should include in that process a test run of contact with local backup support from local law enforcement. The policy manual should establish a specific minimum standard for testing alarms."

- Public Meeting, Yakima

"There should be access to alarms in the courtroom itself. Victims may feel more comfortable knowing that there would be an immediate response if something happened." - Public Meeting, Bellingham

". . . Given the practical fact that 99-plus percent of alarms in this state are false and cost the taxpayers literally millions of dollars a year--the choice of alarm technology, , , protocols for its usage, and strict training programs for court personnel should be developed with appropriate input and help from law enforcement agencies and people knowledgeable in the technical dimensions of alarm systems." - Letter to Task Force, Spokane

8. CLOSED-CIRCUIT VIDEO SURVEILLANCE

The use of closed circuit video surveillance is recommended. Closed-circuit video surveillance should include the court facility parking area, entrances, lobby, courtrooms and all related public areas.

Commentary

Public notification that the courthouse is under video surveillance will serve as a deterrent. The design of some existing courthouses may require a greater reliance on supplemental security devices such as video equipment. Closed-circuit video surveillance should be effectively monitored.

"Closed-circuit video surveillance [has a] tremendous deterrent effect when combined with public notification."
- Letter to Task Force, Cowlitz County

"Could private conversations taking place between counsel and client in the courtroom be violated if cameras are allowed in each courtroom?" - Public Meeting, Olympia

"Renton Municipal Court has video cameras where the clerks upstairs can view what is happening in the courtroom and lobby. There's no audio." - Public Meeting, SeaTac

"Video system hooked into the Lincoln County Sheriff's Office, right across the street, is budgeted for next year." - Public Meeting, Spokane

9. RESTRICTED ACCESS TO COURT OFFICES

There should be controlled access to the offices of judges and court personnel.

Commentary

The security of the office space housing judges and court personnel must be maintained. Unlimited access to this area is dangerous and unnecessary.

Steps that may be taken to facilitate this standard include a main receptionist checkpoint, passive or active electromagnetic hall locks, cardreader door locks, and video or other visual entry packages.

The judges' chambers and parking spaces should not be designated by "Judge" signage.

"The new Regional Justice Center in King will have a secure parking for the judges, and they will have a special entrance and key card access, and they will be able to get into their own secure hallway without having access to the public." - Public Meeting, SeaTac

"The quality of security in a small county has to be considered separately from the rather anonymous conditions you have in a very large county." - Public Meeting, Spokane

"Possibly have a verbal code system between judge and staff." - Public Meeting, Yakima

"Restricted access to offices: Great idea, but dictated by existing physical layout." - Letter to Task Force, Cowlitz County

10. AFTER HOURS SECURITY

A comprehensive security plan should include procedures for security in the courthouse and related areas for periods of time other than normal working hours.

"Employees requiring access to the facility after hours have card key access. Video cameras have also been installed."

"Kitsap County has no weekend or after hours activities in their courthouse."

"Thurston County Courthouse is used routinely by groups after hours, and the access is pretty much unrestricted to the rooms in which they have their access. The morning after, those areas are swept by the security officers."

- Public Meeting, Olympia

"There is a need to increase the security consciousness of the entire courthouse." - Public Meeting, SeaTac

11. STRUCTURAL DESIGN OF COURTHOUSE

The local courthouse security committee should participate in the planning process of the design, construction or remodeling of courthouse facilities.

"The standards are considerably more acceptable for courthouses being constructed and/or remodeled than those which will need retrofitting to comply. . . Our courthouse is very difficult to retrofit anything around as it is very old masonry and far too small for today's needs." - Letter to Task Force, Okanogan County

"The physical layout of each courthouse will not only influence a plan, but, in many instances, will dictate what can and cannot be done." - Letter to Task Force, Cowlitz County

"Suggestions leave out one of the greatest and most important users of the courthouse. . . the citizens we call on to be on juries. Security for juries could include a common gathering space, common and secure parking, etc." - Public Meeting, Yakima

" . . Jurors. . . waiting to go into court have no place to be except in the hallway. . . if something happens in that hallway, they're all potential victims." - Public Meeting, Bellingham

"Emphasis should be given to proper design elements in building and surveillance technology." - Letter to Task Force, Cowlitz County

12. INCIDENT REPORTING

- A. Every violation of the law that occurs within a courthouse facility should be reported to the law enforcement agency having jurisdiction.**
- B. The Security Policy and Procedures Manual for each courthouse should include a policy for reporting security incidents.**
- C. Procedures for the tabulation of such incidents should be developed by the Office of the Administrator for the Courts of Washington State.**

Commentary

To measure the effectiveness of court security procedures, it is mandatory to recognize and report these incidents. A standard incident reporting form developed by the Office of the Administrator for the Courts should be utilized by court personnel to record a summary of each event which compromised the security of the court and/or the safety of the participants in the court process.

"A reporting system [is needed] for not just the number or type of incidents, but the severity. . . something more detailed than 'an altercation occurred'." - Public Meeting, Bellingham

"Local review by a single agency or committee is desirable. Such a review will facilitate assessment of the adequacy of existing plans and responses." - Letter to Task Force, Cowlitz County

"A reporting mechanism to the Office of Administrator for the Courts or somebody [is needed] to oversee and review the implementation of these guidelines and plans." - Public Meeting, SeaTac

"Each local jurisdiction shall report its security plan, any revisions and progress toward attainment of all goals annually to the Administrator for the Courts for study and review." - Letter to Task Force, San Juan County

"Reports should be submitted to the Local Courthouse Security Committee on a quarterly basis. These reports would be used to change the level of security, if needed." - Letter to Task Force, Cowlitz County